

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In The Matter Of:)	
)	Case Number 23-41881-659
Kim Y Jackson)	
AKA Kim Y Jackson-Purnell)	
)	Chapter 13
)	
Debtor,)	Objection to Confirmation filed by WBL
)	SPO I
WBL SPO I)	
)	
Creditor,)	
)	

OBJECTION TO CONFIRMATION OF PLAN

Comes now WBL SPO I ("Creditor") by its attorney and for its objection to confirmation of Debtor's plan and states as follows:

1. WBL SPO I is the holder of a Deed of Trust and Note secured by real property located at 5947 Hamilton Terrace, Saint Louis, MO 63112. Said property is listed by the Debtor as an asset of the bankruptcy estate.

2. As there is no automatic stay in this case, and Creditor is pursuing its remedies under applicable non-bankruptcy law as provided for in the Note and Deed of Trust, Creditor does not accept nor wishes to be bound by the cure and maintain treatment of its claim and asserts that the only proper treatment of its claim should be surrender. See generally, *Cline v. Deutsche Bank Nat'l Trust Co.* (In re Cline), 386 B.R. 344 (Bankr. N.D. Ala. 2008); *In re Hileman*, 451 B.R. 522, 524 (Bankr. Central CA. 2011) citing 11 U.S.C. § 1327(a) and *Espinosa v. United Student Aid Funds, Inc.*, 553

F.3d 1193, 1197 (9th Cir. 2008), aff'd unanimously, 130 S.Ct. 1367, 176 L.Ed.2d 158 (2010) among others (requiring plan objections after stay relief).

WHEREFORE, WBL SPO I prays confirmation of the plan filed by the Debtor be denied, that this case be dismissed for failure to propose a confirmable plan; and for such further orders as the Court deems just and proper.

Dated July 12, 2023

Respectfully Submitted,
Millsap & Singer, LLC

/s/ Eva Marie Kozeny

Cynthia M. Kern Woolverton, #47698, #47698MO
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Attorneys for WBL SPO I

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was filed electronically on July 12, 2023, with the United States Bankruptcy Court, and has been served on the parties in interest via e-mail by the Court pursuant to CM/ECF as set out on the Notice of Electronic filing as issued by the Court or in the alternative has been served by depositing a true and correct copy of same enclosed in a postage prepaid, properly addressed envelope, in a post office official depository under the exclusive care and custody of the United States Postal Service on those parties directed by the Court on the Notice of Electronic Filing issued by the Court as required by the Federal Rules of Bankruptcy Procedure and the Local Rules of the United States Bankruptcy Court.

/s/ Eva Marie Kozeny

Electronic Mail Notice List

The following is the list of attorneys who are currently on the list to receive e-mail notices for this case.

William H. Ridings, Jr.

Diana S. Daugherty

Office of the United States Trustee

Manual Notice List

The following is a list of parties who are not on the list to receive e-mail notices for this case (who therefore require manual noticing).

Kim Y Jackson
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Saint Louis, MO 63112